

**Commercial Customs Operations Advisory
Committee
Government Issue Paper
Intelligent Enforcement Subcommittee
Antidumping and Countervailing Duty
Working Group**

December 2023



**U.S. Customs and
Border Protection**



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**Trade Policy and Programs, Office of Trade
Intelligent Enforcement Subcommittee
Antidumping and Countervailing Duty Working Group
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Action Required: Informational

Background:

- U.S. Customs and Border Protection (CBP) employs assets from across the agency to target antidumping and countervailing duty (AD/CVD) evasion, including import trade trend and valuation analysis, the use of targeted reviews and audits, lab testing, and special operations.
- CBP's engagement with the Commercial Customs Operations Advisory Committee (COAC) Intelligence Enforcement Subcommittee's AD/CVD Working Group improves the transparency of CBP AD/CVD enforcement and processing.
- CBP provides information on AD/CVD requirements to facilitate legitimate imports and obtains the trade community's input on proposed changes to CBP's AD/CVD policies.
- The AD/CVD Working Group discusses CBP's enforcement of trade remedies under Sections 201, 232, and 301 of the *Trade Act of 1974*.
- CBP strives to be as transparent on AD/CVD enforcement as disclosure laws allow and regularly posts AD/CVD information on CBP.gov and Twitter.
- As of October 27, 2023, CBP enforced 671 AD/CVD orders. The total number of AD/CVD orders enforced by CBP more than doubled between fiscal years 2016 and 2022 and continues to rise.

Issue:

- CBP is committed to enforcing AD/CVD laws and penalizing those who try to evade those laws while facilitating legitimate trade.
- CBP and the AD/CVD Working Group work together to facilitate legitimate AD/CVD imports and improve importer compliance. Key initiatives include:
 - Increasing compliance with and providing more transparency on AD/CVD certifications requirements; and
 - Testing automation to inform customs brokers about potential errors in AD/CVD entries.

Current Status:

- The AD/CVD Working Group discussions continue to focus on improving importer compliance with AD/CVD measures.

Next Steps:

- The AD/CVD Working Group will continue to discuss AD/CVD challenges and importer compliance to obtain the trade community's input on proposed changes to CBP's AD/CVD policies.

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